

Evening Telegraph

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Monday, April 30, 1866.

Hon. Leonard Myers on Reconstruction. We have before us a speech on the subject of Reconstruction, delivered in Congress on the 24th ult., by the Honorable LEONARD MYERS, of this city. It is an able and temperate argument, based upon practical common sense considerations. He deems it useless to discuss whether the Rebel States have ever been out of the Union; but contents himself with the following statement of facts, upon which all can agree:—

"For four years these eleven States were beyond the national control. They defied the Constitution and laws of the Union. They set up a new Constitution, anti-republican and founded on slavery. As States, so far as they could, they severed the bonds which knit them to the rest. They broke up their old State governments and erected new ones, and made new laws to suit the condition they were trying to bring about. Whether they were in or out of the Union is quite immaterial. Only three days before his death Mr. LINCOLN pronounced this a merely pernicious abstraction. 'We all agree,' said he, 'that the seceded States, so far as their proper practical relation with the Union, and that the sole object of the Government, civil and military, is to again get them into that proper practical relation.' President Johnson, in his annual message, tells us 'their functions are suspended.' I accept these definitions, and believe in them."

"These States being thus 'out of their practical relations with the Union,' as Mr. LINCOLN expressed it, or 'their functions being suspended,' as Mr. JOHNSON calls it, the honorable member next inquires by what power these practical relations, these suspended functions, can be restored? His answer is emphatic—that in this country the law-making power is supreme, and except when the assent of the Executive aids in passing the law, his sole power is to execute it. Either, then, these States could legally restore themselves, or Congress, the law-making power, must do it. This point is strongly put, as follows:—

"Either the rebellious States could legally at any time during the Rebellion have resumed their places in the Congress of the Union, or they could not. If the law then or now would have permitted it, then or now it could be done without order, direction, or authority from the President. The decision, then, rests either with these States or with Congress."

But the idea would be monstrous that these rebellious States, while making war upon the nation, could have sent even loyal members to Congress; and equally absurd is it that the mere fact of their having been unsuccessful in their nefarious attempt to overthrow the Government should at once and of itself work their immediate and unconditional restoration to participation and power in it. Hence the whole matter rests with Congress. This is clearly shown to have been the opinion of President LINCOLN, repeatedly and explicitly expressed in his official utterances, as well as of the previous Congress.

The conditions of restoration thus resting with Congress, Mr. MYERS next proceeds to inquire, What are the conditions on which any rebellious State shall be entitled to representation in the National Councils? And he replies as follows:—

"That it shall conform by its Constitution and laws to the change in political relations brought about by the war, accepting the issue in good faith, submitting to such acts of Congress, and ratifying, if required, such amendments to the National Constitution as fairly and equally embody the results of this great change."

This great change is that from slavery to freedom; and it requires, first, "that no law of any State lately in insurrection shall impose by indirection a servitude which the Constitution now forbids;" and, secondly, "that each State shall provide for equality before the law, equal protection to life, liberty, and property, equal right to sue and be sued, to inherit, make contracts, and give testimony."

But, in addition, there are certain other great results of the war which should be forever embodied in the organic law by constitutional amendment. One of these is to declare by constitutional amendment that no part of the Rebel debt shall ever be paid by the United States. The war debt of the Union must be sacred; that of the Rebellion forever excluded.

Another and more vital amendment is one which shall secure an equal and uniform basis of representation throughout the Union. The restoration of the Rebel States, without the previous adoption of this amendment, would give to each white man in the South a representation in Congress and in the Electoral College nearly twice that enjoyed by each white man at the North! This can never be consented to. Mr. MYERS goes into the history of this iniquitous scheme of representation, and shows so fully and clearly the bearings of the entire matter, that we are constrained to give this portion of his speech in full, and to ask for it the careful consideration of every citizen. He says:—

"But there is another amendment needed, involving a vital principle, which was partially yielded because of slavery, and should now be reinstated."

"Under article one, section two, of the Constitution—'Representatives and direct taxes shall be apportioned among the several States which may be included in this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.' 'Every one knows that this three-fifths clause was inserted because of the existence of slavery. It was only passed after much debate and heated discussion in the Convention which adopted the Constitution; men like BUTLER, of South Carolina, General FRENCH, and others, insisting that blacks be included in the rule of repre-

sentation equally with whites; the same CHARLES C. PINCKNEY who afterwards in the 8th South Carolina Convention, urging the adoption of the Constitution, said:—

"We determined that Representatives should be apportioned among the several States by adding to the whole number of free persons three-fifths of the slaves. We thus obtained a representation for our property."

"Mr. RANDOLPH urged strenuously that express security ought to be provided for including slaves in the ratio of representation. He lamented that such a species of property existed. But, as it did exist, the holders of it would require this security."

"On the other hand, Mr. KING 'thought the admission of them along with whites at all would create great discontent among the States having no slaves.' 'GOVERNOR MORRIS could never agree to give such encouragement to the slave trade as would be given by allowing the Southern States a representation for negroes,' and did not believe Pennsylvania would agree to it."

"Mr. GERRY, though properly not the rule of representation; why, then, should the blacks, who were property in the South, be in the rule of representation more than the cattle and horses of the North?"

"Mr. WILSON said he did not well see on what principle the admission of blacks in the proportion of three-fifths could be explained. Are they admitted as citizens? Then why are they not admitted on an equality with white citizens? Are they admitted as property? Then why is not other property admitted into the computation? These were difficulties which he thought must be overruled by necessity or compromise; and according to this compromise, the existing Constitution, as Madison terms it, this inequality, based upon wrong, was adopted, the same proportion entering into the basis of taxation. And so from the foundation of the Government in the South has had this unfair representation in the National Councils, to make up for which a direct tax, only collected a few times in our history, and which might well be repealed or its basis changed, has been nominally imposed on them in the same ratio."

"Slavery being dead, it becomes us to alter the representation to meet upon it. I ask it on behalf of the North; in the cause of the Union, which should never again be disturbed by a discussion of the question; in conformity with the representation adopted by the Southern States themselves; and I ask that an amendment embodying it may be passed by Congress, even if not ratified, before any insurrectionary State is again represented here."

"The whole number of Representatives in Congress is established by law at two hundred and forty-one."

"The South under the next apportionment must either lose their representation on three-fifths of the negroes, or gain two-fifths and amount to power on the whole. Unless the ratio be altered the South will gain twelve members; those twelve members will be taken from the number we now have, equivalent to a gain for the South of twenty-four. If they be so gained, the vote of every white man in the South will be nearly equal to two at the North, and the Rebellion will have produced for the former more power than the arch-traitor JEFFERSON DAVIS, in his long years of plotting and fawning, visions of aristocracy, ever compassed. Let the laboring man who has given his son to the country power over this lot, and the representative beware how he votes away the liberties of the people."

Mr. MYERS next shows that the Rebel States are striking out the colored population from the basis of representation in their own Legislatures, and concludes that what they are themselves doing with reference to their local representation cannot be far wrong when applied to their representation in Congress. He next quotes President JOHNSON in favor of this measure, as follows:—

"In 1842, ANDREW JOHNSON introduced the following resolution into the Tennessee Legislature:—

"Resolved, That the basis to be observed in fixing the ratio of Congressional districts shall be the voting population without any regard to the three-fifths of the negro population."

"Last October, in conversation with GEORGE L. STEARNS, since published, he still spoke approvingly of the idea of the same ANDREW JOHNSON, now the Chief Magistrate of a great republic, will give this or some kindred plan his support in this trying juncture, I believe it will pass Congress as an amendment to the Constitution, and be adopted by three-fourths of the States in a few months and then, six, these insurrectionary States; having conformed to the laws as I have stated, I for one am in favor of receiving from them such loyal Representatives as they may send, and binding up every wound."

Mr. MYERS closed with a glowing allusion to the future of our country, when once we shall have fully settled these great questions upon the everlasting basis of justice and right. His speech, as a whole, is one of the best delivered during the present session of Congress; and that is saying a good deal, for the House of Representatives now numbers among its members many very able men.

The Advantage of Speedy Justice in Capital Trials. THE commission of the frightful DEARBORN murder, the arrest of the criminal, the trial, conviction, and sentence follow so fast upon each other, that they appear to spectators as one connected event, rather than as a crime with its retributive justice. Rapidity in the execution of punishment on the offender, the deed being immediately succeeded by its consequences, cannot but have a most beneficial effect on the popular mind. When we see the almost instantaneous deserts meted out to evil-doers, we gradually confound the crime and punishment, and look upon one as the certain corollary of the other. We have few instances on record in which more haste was observed in the infliction of the due reward of villainy. On the 6th of April, ANTOINE PROBST was a respectable citizen of good and honest standing in the community. On the 7th a series of murders were committed; on the 12th they were discovered; on the 13th the murderer was in Moyamensing; on the 17th the Grand Jury brought in a true bill; on the 18th the case was called up in court; on the 24th the trial commenced; on the 29th the jury rendered a verdict of guilty. To-morrow, the 1st of May, he will be sentenced, and probably on Friday week, the 11th, he will expiate his offenses on the gallows. Thus within the space of one month from the day on which the murder was discovered has the last act of the great tragedy been concluded.

DEBT, to whom was delegated the difficult and unpopular task of conducting the defense, cannot but excite admiration. Called upon unexpectedly to defend a hopeless cause, they fulfilled their duty with a force unexpected, and made the strongest possible case out of what was already irrevocably lost because of facts. The charge of his Honor Judge ALLISON was also a model in the way of summing up the points of argument, and explaining to the jury, in the clearest possible light, any doubtful legal technicality. It was masterly and impartial. And when on the morrow the solemn death sentence shall be passed, the curtain will fall on the legal portion of the tragedy, and only rise again to show the vindication of the laws, and the obedience to the command, "Whosoever sheddeth man's blood, by man shall his blood be shed."

The Democratic Theory of Crime. "Now, considering that when the people of the South undertook to throw off their allegiance, Mr. SHELLEBAROUGH and his party denied their right to do it, waged war to prevent them from doing it, sacrificed thousands of millions of money and hundreds of thousands of lives in establishing the fact that they could not do it, it seems a little remarkable that Mr. SHELLEBAROUGH should be willing to officially recognize the renunciation of allegiance on the part of the ex- Rebels as an accomplished fact."

The above, which we quote from a Democratic organ, is a fair specimen of the fallacies resorted to by those who seek to relieve the late Rebels from the consequences of their crimes. The assumption quietly made is, that we cannot recognize as a fact what we deny as a right. We denied the right of the people of the South to throw off their allegiance, therefore we cannot recognize the fact that they did throw it off. The practical result sought by this very singular method of reasoning is to secure the Rebels from the punishment due to their crimes. The Rebel must not be treated as a Rebel, because we denied his right to become one! We hardly take up a Democratic paper, or read a Democratic speech now-a-days, which is not permeated all through with this fallacy. It lies at the bottom of the entire conservative argument on reconstruction. The Rebel States did not go out of the Union because they had no right to do so.

The plain common sense of the people rejects all this fine-spun nonsense. The Rebel States had no right to secede, but they did secede; they had no right to enter into any "treaty, alliance, or confederation," but they did do it; they had no right to make war upon the nation, but they did do it; they had no right to do any of the entire series of acts which constituted the Rebellion, but they did do them. Now, however, these Democratic wisecracks turn around and claim that, as the Rebels had no right to do these things, therefore they shall be treated as though in fact they never did do them. As South Carolina never had any right to secede, we must now treat her as though she never did secede, and allow her to walk back into the Union, holding her head as high as she did when she walked out. As JEFF. DAVIS never had any right to be the President of the Southern Confederacy, we must treat him as though he never had been that President, and open the prison doors and let him go forth free.

This Democratic doctrine would be a very convenient one for all kinds of criminals. We wonder PROBST don't plead it.

AN OLD CLAIM REVIVED.—It used to be the opinion of many Kentuckians, that a man who was born in Kentucky was therefore a little more perfect specimen of the genus homo than could be found upon any other portion of the footstool. The "gallant," "chivalrous," "proud" Kentuckian never ceased to be a perpetual source of admiration, at least to himself. Since the breaking out of the Rebellion we have heard less of this nonsense than usual, and had come to suppose that Kentuckians were pretty much like other folks. We learn, however, from a late speech of Mr. ROUSSEAU, of that State, delivered before a Democratic gathering at Brooklyn, that such is not the fact. For instance, we are told, that the emotion of "fear" is one unknown to the human breast in that locality. No man "born on her soil" has been ever known to "turn his back upon danger, let him be in the Federal or Rebel army." This will do for rhetoric, but it is poor stuff as fact. We suppose Kentuckians are just about as brave as the average run of mankind, but no braver. The records of our late struggle will show that when the necessity has been urgent, they have been quite as ready to "turn their backs" on danger as other folks. Indeed, it occurs to us now, that an eminent son of that State, who once was Vice-President of the United States, has been turning his back upon his native country for some time, because he is afraid to come home. We would respectfully suggest that this talk about the superiority of Kentucky is pretty much "played out."

MERE BRAGGADOCIO.—We entirely agree with a contemporary that "when Congressmen declare that they are 'entirely responsible, not only here, but elsewhere' for what they say, and that they are 'responsible everywhere,' and that they will 'answer not only here, but elsewhere, anywhere that it may be agreeable to have an answer,' and that 'the question of veracity could be settled somewhere else,' and that their 'veracity is not to be called in question with impunity,' they simply render themselves ridiculous."

Such kind of talk is merely a relic of old times, when ruffians and braggarts paraded themselves in Congress. It is evidence neither of personal nor moral courage. A truthful man need make no extraneous appeals to secure belief for what he says; and the truly brave man makes no parade of his courage. These are days in which bluster and swagger are at a great discount, and Congressmen had better not deal in them.

Excuse a little inconvenience arising from the alterations and improvements going on in our store, as we are more than compensated for by the EXTRA BARGAINS we give our customers, as we want to reduce our stock to avoid its removal out of the way of the workmen. The Finest Ready-made (not in the city and the largest assortment to select from. Piece Goods to make to order. WASHINGTON & BLOOM, OAK HALL, SOUTH LANT COASTERS, SIXTH and MARKET Sts.

Willcox & Gibbs' Twisted Loop-stitch. No. 420 CHESTNUT ST. FAMILY SEWING-MACHINES.

SPECIAL NOTICES.

TREASURY DEPARTMENT. APRIL 27, 1866. Notice is hereby given that on the 28th day of May, 1866, the interest upon all certificates of deposit on account of temporary loan (other than those issued for learning some proposed amendments) will be reduced to the uniform rate of FIVE PER CENT. per annum from that date, and all persons then holding such certificates in which a higher rate of interest is specified are requested to present the same to the officers by whom issued, that other certificates may be substituted therefor.

TREASURY DEPARTMENT. APRIL 28, 1866. Notice is hereby given that the Treasurer of the United States, the Assistant Treasurer at New York, Philadelphia, and Boston, and the United States Depositories at Baltimore and Cincinnati, have been directed to discontinue from the date of this notice the issue of account of TEMPORARY LOAN, except those intended for Clearing house purposes.

PHILADELPHIA AND READING RAILROAD COMPANY, Office No. 227 South Fourth Street. PHILADELPHIA April 28 1866. Notice is hereby given to the Stockholders of this Company, that the option of receiving their Dividend in Stock or cash under the resolution of the Board of 11th December, 1865 will close on and after the 31st of May, 1866, and that such stockholders as do not demand their Dividend to be paid to them in Stock on or before that day, will be thereafter entitled to receive it in Cash only.

NEW LONDON COPPER MINING COMPANY. At an adjourned Annual Meeting of the stockholders, held at Philadelphia on the 27th April, 1866, the following Officers were duly elected to serve the ensuing year.

A SPECIAL MEETING OF THE Stockholders of THE NEW YORK AND MIDDLETOWN RAILROAD AND COAL COMPANY will be held at the office of the Company, No. 228 WALNUT Street, on TUESDAY the 1st instant, at 12 o'clock, to accept or reject the Supplement to the Charter as recently passed by the Legislature. Copies of the act can be had on application at the office.

OFFICE OF THE MARQUETTE MINING COMPANY OF MICHIGAN. PHILADELPHIA, April 1866. The Stated Annual Meeting of the Stockholders of this Company will be held at their Office, No. 119 S. FOURTH Street, on MONDAY the 7th of May, at 12 M., after which an Election will be held at the same place for Officers of the Company for the ensuing year. By order of the Board of Directors.

OFFICE BULL CREEK OIL COMPANY. No. 411 CHESTNUT Street.—The Annual Meeting of Stockholders will be held on TUESDAY, May 1, at 12 o'clock, for the election of officers.

BY ORDER OF THE CORPORATORS OF THE SAFE DEPOSIT COMPANY OF PHILADELPHIA, the opening of the books for subscription and the opening of said Company is postponed until further notice.

BEDDING AND FEATHER WAREHOUSE, TENTH STREET, BELOW ARCH. Feather Beds, Bolsters, Pillows, Mattresses of all kinds; Blankets, Comfortables, etc.;褥褥褥, with and without Spring Beds; Spring Cots; Iron Bedsteads, Cushions, and all other articles in the line of business.

NATATORIUM AND PHYSICAL INSTITUTION. SWIMMING SCHOOL FOR CHILDREN, LADIES, AND GENTLEMEN. BROOKLYN Street, below Walnut.

COURTNEY & WILKES, Nos. 14 and 16 S. Seventh St., Philada. MANUFACTURERS OF BEAUTIFUL COTTAGE FURNITURE AND THE ONLY DURABLE IN THE CITY.

FOR HARTFORD, CONN. direct via the DELAWARE AND BALTIMORE CANAL.—The steamer SEVADA, Captain Thomas, will leave at 4 P. M. for Hartford, Conn., on Monday, May 1st, at 10 o'clock. For freight, etc., apply to WILLIAM M. BALDWIN & CO., No. 122 South DELAWARE Avenue.

EDWIN HALL & CO., Prepared Cork Mattresses. We call the attention of STEAMBOATS AND VESSELS, HOTEL KEEPERS, BOARDING HOUSES, AND PRIVATE FAMILIES, To our Prepared CORK STUFFING, For Mattresses, Pillows, Bolsters, and Seats. They are Soft, Healthy, and offer no refuge to vermin. GIVE US A CALL. (12th and 13th)

BLACK LACE SHAWLS. BLACK LACE ROTUNDAS. WHITE LACE SHAWLS. WHITE LACE ROTUNDAS. BLACK SILK MANTLES. CLOTH SACQUES. REAL SHETLAND SHAWLS. SHETLAND SHAWLS, \$3-00. SHETLAND SHAWLS, \$4-50. SHETLAND SHAWLS, \$6-00.

REAL SHETLAND SHAWLS AS HIGH AS THIRTY DOLLARS A PIECE.

REDUCTION IN PRICES. EDWIN HALL & CO. No. 28 SOUTH SECOND STREET, WILL OPEN THIS MORNING SIX CASES UPWARDS OF Three Hundred Pieces, OF DESIRABLE DRESS GOODS, AT 37 1/2 CENTS A YARD, BEING MUCH BELOW THE COST OF IMPORTATION.

GROVER & BAKER'S IMPROVED SHUTTLE OR "LOCK" STITCH SEWING MACHINES. No. 1 and No. 9 for Tailors, Shoe makers, Saddlers, etc. No. 730 Chestnut Street Philadelphia; No. 17 Market Street, Harrisburg.

CHAMPION'S CITY BAZAAR AND FURNITURE STORE. R. B. CHAMPION, Auctioneer. Will sell on TUESDAY MORNING, May 1, at 10 o'clock, about FORTY FINE HORSES. Suits to harness and the saddle among which are: A brown Mare, 15 hands high, 7 years old, sound and kind. A pair of brown Mares, 15 1/2 hands high, 6 years old, this spring. A brown Mare, 15 1/2 hands high, 6 years old, this spring. An extension top Phaeton, by Brewster, of New York. A No. 10 Wagon, by Watson. A set of double Harness, gold and covered mounting.

SHEPHERD PONY.—A BEAUTIFUL thorough-bred Arabian Shetland Horse, imported 12 years ago by a gentleman, and used since by his young children to ride on. Price \$250. Apply to NINTH and FILBERT.

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IR. LESSEY'S VEGETABLE PILLS CURE Dyspepsia, Diarrhoea, Rheumatism, Stomach-ache, and all ailments of the Liver. They purify the blood, and make the skin soft and fair. For sale by DR. J. S. SNEY, No. 322 N. NINTH Street, Philadelphia, and by Druggists generally. I give my great pleasure to Mr. Lessey—Dear Sir:—I give my great pleasure to Mr. Lessey in favor of your "Vegetable Liver Pills." I had been afflicted with dyspepsia, rheumatism, and headache, and during that time, suffer'd intensely from scurvy, weakness, loss of appetite, and bowels, seriously prostrating my physical and mental energies for weeks at a time, so much so that my life was despaired of. But by using a single box of your pills, I was introduced to you, and by the use of your pills I have been wonderfully restored, not having had an attack of my old complaint for at least a single month since. They act like a charm. Had it not been for them, I have no doubt I should have been a helpless invalid. I must and will be in favor of your "Life Preserver" or "Vegetable Lintiment." I have used it for Dyspepsia, Rheumatism, and all malades originating from defects in the body, of the blood, such as Piles, Tetter, open Wounds, etc. Observe of Whites' Lintiment, their sensibility, and the fresh healthy form. Patients, while under treatment, can be accommodated with board at the Institute. 4 1/2 1/2

407 NEW NEW 407 Prepared Cork Mattresses. We call the attention of STEAMBOATS AND VESSELS, HOTEL KEEPERS, BOARDING HOUSES, AND PRIVATE FAMILIES, To our Prepared CORK STUFFING, For Mattresses, Pillows, Bolsters, and Seats. They are Soft, Healthy, and offer no refuge to vermin. GIVE US A CALL. (12th and 13th)

No. 407 COMMERCE Street. CHOLERA. COMPOUND CAMPHOR TROCHES. TESTED IN 1849. A Safe, Agreeable, and Positive Preventive of all CHOLERIC SYMPTOMS. Compounded exclusively by C. H. NEEDLES, 8. W. CORNER TWELFTH and RACE, Philadelphia. Sent by mail to any address, on receipt of price, 50 cents per box. 4 25 64p

HIESKELL'S MAGIC OIL! CURES TETTER, ERYSIPELAS, ITCH, SCALD HEAD, AND ALL SKIN DISEASES. WARRANTED TO CURE OR MONEY REFUNDED. For sale by all 1/2 druggists. PRINCIPAL DEPOT: ASHMEAD'S PHARMACY, No. 336 South SECOND Street. Price 25 cents per bottle. 4 24 3m p

WILLIAM D. ROGERS, COACH AND LIGHT CARRIAGE BUILDER, Nos. 1009 and 1011 CHESTNUT Street, PHILADELPHIA. 3 28 2m p

CHILDREN'S CARRIAGES, CHEAP AT YOST'S NEW HOUSE-FURNISHING STORE. Also, EVERYTHING NEEDED IN HOUSEKEEPING. 4 20 2w 4p No. 49 N. NINTH Street, below Arch.

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